

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
AUBURN FOUNDRY, INC.) CASE NO. 04-10427
)
Debtor)

DECISION AND ORDER

At Fort Wayne, Indiana, on August 23, 2005.

The notice of motion and opportunity to object which Baker & Daniels, counsel for the debtor (hereinafter "Movant") served in connection with its application for compensation does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. Based upon counsel's certificate of service, all creditors and parties in interest have not been served with a copy of the notice, as required by Bankruptcy Rule 2002(a) and Local Bankruptcy Rule B-2002-2(d).

Since creditors and parties in interest have not been given appropriate notice of the application and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the application being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court